

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**FORREST W. PHILLIPS, SR.,** )  
                                  )  
                                  )  
**Plaintiff,**                )  
                                  )  
**vs.**                         )      **Case No. 09-cv-0997-SCW**  
                                  )  
**HUNTER MARINE TRANSP., INC.,** )  
                                  )  
**Defendant.**                )

**ORDER**

**WILLIAMS, Magistrate Judge:**

Before the Court are Phillips' First Motion *In Limine*, Phillips' Second Motion *In Limine*, and Hunter Marine's Motion *In Limine*. Arguments were presented in a telephonic hearing held at 3:00 p.m. on November 2, 2011.

**I. Phillips' First Motion *In Limine***

Section 1 of Phillips' First Motion *In Limine* is GRANTED IN PART. At trial, Hunter Marine will be designated as "Plaintiff," Phillips will be designated as "Defendant." Otherwise, Section 1 of Phillips' First Motion *In Limine* is DENIED.

Section 2 is GRANTED IN PART and DENIED IN PART. Evidence of Phillips' June 1995 theft conviction will be excluded. Otherwise, Section 2 of Phillips' First Motion *In Limine* is DENIED.

Section 3 is GRANTED IN PART and DENIED IN PART. Phillips' conviction for unlawful possession of a controlled substance will be excluded. His forgery convictions will be allowed. And while Hunter Marine may elicit on cross examination the fact that Phillips had a 2007

misdemeanor conviction, any reference to the underlying facts of that conviction—i.e. that it was a theft conviction—will be excluded.

Section 4 is GRANTED.

**II. Phillips' Second Motion *In Limine***

DENIED.

**III. Hunter Marine's Motion *In Limine***

GRANTED.

**IT IS SO ORDERED.**

DATED: November 3, 2011

*/s/ Stephen C. Williams*

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STEPHEN C. WILLIAMS

United States Magistrate Judge